IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL LEVENTHAL : CIVIL ACTION
    Plaintiff :
     : NO. 17-0212
    v. :
     :
NANCY A. BERRYHILL, Acting :
Commissioner of the Social Security :
Administration :
    Defendant :

ORDER

AND NOW, this 12th day of October 2018, upon consideration of the *Report and Recommendation* (the "R&R") issued on September 20, 2018, by the Honorable Lynne A. Sitarski, United States Magistrate Judge (the "Magistrate Judge"), [ECF 17], and after a careful and independent review of the record, this Court concurs with the Magistrate Judge's conclusion that the Administrative Law Judge erred with regard to certain aspects of his residual-functional-capacity analysis.[1] Consequently, it is hereby **ORDERED** that:

1. The R&R is **APPROVED** and **ADOPTED**;

2. Plaintiff's Request for Review is **GRANTED**; and

3. The matter is **REMANDED** to the Acting Commissioner of the Social Security Administration to direct the Administrative Law Judge to conduct additional proceedings consistent with the R&R.

                                        BY THE COURT:

                                     /s/ *Nitza I. Quiñones Alejandro*
                                     NITZA I. QUIÑONES ALEJANDRO
                                     Judge, United States District Court

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[1]   Neither the Acting Commissioner nor Plaintiff filed any objection and/or response to the R&R. In the absence of any objections, this Court reviewed the R&R under the "plain error" standard. *See Facyson v. Barnhart*, 2003 WL 22436274, at *2 (E.D. Pa. May 30, 2003). Under this plain error standard of review, an R&R should only be rejected if the magistrate judge commits an error that was "(1) clear or obvious, (2) affect[ed] 'substantial rights,' and (3) seriously affected the fairness, integrity or public reputation of judicial proceedings." *Leyva v. Williams*, 504 F.3d 357, 363 (3d Cir. 2007) (internal quotations and citations omitted). Here, after a thorough review of the record and the R&R, this Court finds no error and, therefore, adopts the R&R in its entirety.